

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the Commission's post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement and Verification, and Related Issues.

Rulemaking 06-04-010
(Filed April 13, 2006)

**ADMINISTRATIVE LAW JUDGE'S RULING
APPROVING EVALUATION, MEASUREMENT, AND VERIFICATION
CONTRACTOR FOR THE 2004-2005 STATEWIDE CODES
AND STANDARDS PROGRAM**

Summary

This ruling approves the joint selection of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric Company, and Southern California Gas Company (collectively referred to as "the utilities") for the evaluation, measurement, and verification (EM&V) contractor of the 2004-2005 Statewide Codes and Standards Program.

Background

On September 23, 2003, the utilities submitted to this Commission's Energy Division their joint plans for 2004-2005 statewide programs and other overarching studies. By Decision (D.) 03-12-060, the Commission found that these plans were not complete, and directed the utilities to submit to Energy Division staff more detailed EM&V plans for these programs. The Commission delegated to the assigned Administrative Law Judge (ALJ) the authority to approve final evaluation plans and selected contractors, or direct changes to

them. In particular, Ordering Paragraph 13 of D.03-12-060, as modified by D.04-02-059, states:

“Utilities shall jointly develop, file, and serve, within 60 days of the effective date of this order, in consultation with the Energy Division and through available informal mechanisms, a plan for the conduct of evaluation activities related to their statewide programs and overarching studies. The utilities should make demonstrable efforts to expand and vary the entities with which they contract to perform these duties. We delegate authority to the assigned ALJ, in consultation with the Energy Division and the Assigned Commissioner, to review and approve the plans for the statewide evaluation studies, overarching studies, and the selected contractors for these studies.”

On March 18, 2004, in response to this direction, the utilities submitted more detailed EM&V plans for the 2004-2005 statewide programs. Energy Division staff responded on May 11, 2004, by email informing the utilities that the next deliverable to the Energy Division should be their recommended evaluation contractors for these studies, followed by the detailed final evaluation plans developed with the approved contractors.

In response, on April 11, 2006 Southern California Edison Company submitted for approval on behalf of the utilities the evaluation contractor for the Statewide Codes and Standards Program. Energy Division has informed me that staff observed the contractor selection processes. Energy Division has no objections to the selection of Quantec, LLC as the evaluation contractor for the Codes and Standards Program.

Accordingly, by this ruling I approve the contractor selection. The utilities shall submit the detailed final evaluation plan developed with the contractor approved today to Energy Division for review as soon as practicable. As directed in Ordering Paragraph 13 of D.03-12-060, as modified by D.04-02-059, I shall review and approve the final plans in consultation with Energy Division and the Assigned Commissioner by subsequent ruling.

IT IS RULED that:

1. Quantec, LLC is the approved evaluation contractor for the 2004-2005 Statewide Codes and Standards Program evaluation study.
2. The final evaluation plans for these studies shall be addressed by subsequent ruling, as discussed herein.
3. This ruling shall be served on the service list in Rulemaking 06-04-010, as directed by the Commission in the Order Instituting Rulemaking, issued April 17, 2006. For this purpose, those organizations and individuals listed under the state service list and information-only categories will be served electronically only.

Dated April 17, 2006, at San Francisco, California.

/s/ MEG GOTTSTEIN by tcg

Meg Gottstein
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail and electronically this day served a true copy of the original attached Administrative Law Judge's Ruling Approving Evaluation, Measurement and Verification Contractor for the 2004-2005 Statewide Codes and Standards Program on Respondents, the California Energy Commission and all appearances of record in R.01-08-028 and A.05-06-004 *et al.* or their attorneys of record. I have also served electronically those organizations and individuals listed under the state service and information-only categories in R.01-08-028 and A.05-06-004 *et al.*

Dated April 17, 2006, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

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